MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY

Held in Room 526, at the Statehouse at 3:30 a. m./p. m., on Thursday, March 22, 19 79.

members were present except:

The next meeting of the Committee will be held at 9:00 a. m./p. m., on March 23, 19 79.

ese minutes of the meeting held on March 21, 19 79 were considered, corrected and approved.

JOSEPH J. HOAGLAND
Chairman

The conferees appearing before the Committee were:

Senator Parrish
Ron Smith - Governor's Office
Senator Jan Meyers
Ellen Richardson, Attorney, Kansas Children's Services League
Dr. Harder, Director, S.R.S.
Walter N. Scott, Jr., Attorney, Credit Bureau of Topeka and the Associated Credit Bureaus of Kansas
Randy Herrill, Judicial Council
Charles Hamm, Attorney, S.R.S.
Mr. Anderson, Governor's Task Force
Steve Henry - Kansas Association of School Psychologists
Jerry Shriner - United School Administrators

The meeting was called to order by Chairman Hoagland at 3:30 p. m.

Senator Parrish, sponsor of SB 295, explained the bill to the committee. The bill concerns the custody of children in divorce or separate maintenance cases.

Ron Smith from the Governor's office testified briefly that his own opinion of SB 295, was of opposition and explained his reasons.

Senator Parrish then explained SB 212, which is a bill to allow for possession of certain firearms by collectors and antique dealers.

Senator Meyers then explained SB 326, which she sponsored. The bill concerns the relinquishment of children. The bill would set up a set of procedures to follow when the father will either not take action or can not be found. The bill deals only with agency adoptions, but not with non-agency adoptions.

Ellen Richardson, attorney with Kansas Childrens Services League testified in favor of SB 326, and explained the need for the bill to the committee. (SEE ATTACHMENT # 1).

Dr. Harder, S.R.S., stood and indicated their support of SB 326.

Walter Scott, Jr., Attorney for the Credit Bureau of Topeka and also the Associated Credit Bureaus of Kansas, testified in favor of SB 376, a garnishment bill. (SEE ATTACHMENT # 2).

Randy Herrill, Judicial Council, testified next in support of SB 421, SB 423 and SB 428.

Dr. Harder, Director of S.R.S. testified in favor of SB 373, SB 377, SB 379 and SB 381. Charles Hamm, attorney for S.R.S. spoke to the committee concerning the legal details of the four bills.

On SB 379, Mr. Anderson of the Governor's Task Force, testified in favor of the bill. In a brief discussion of the bill, Mr. Griggs of the Revisor's office indicated a possible balloon amendment for the bill.

Steve Henry, Kansas Association of School Psychologists testified in support of SB 379. (SEE ATTACHMENT # 3).

Jerry Shriner, United School Administrators, indicated they were opposed to SB 379 as it stands, but could support the bill if amended as discussed previously.

The hearing was concluded at 5:00 p.m. and the meeting was adjourned.

KANSAS CHILDREN'S SERVICE LEAGUE

— Established in 1893 —

TOPEKA DISTRICT OFFICE
P.O. Box 5314, Topeka, KS 66605
(2053 Kansas Ave.) 913/232-0543

DISTRICT OFFICES: Kansas City, Topeka, Wichita

FIELD OFFICES: Garden City, Goodland, Hutchinson, Leoti, Salina, Ulysses

Testimony on SB 326

March 22, 1979

The Board and Staff of Kansas Children's Service League urges your favorable consideration of Senate Bill 326 sponsored by Senator Meyers.

As an attorney, but especially since my association with KCSL, I have been concerned about the adoption laws of Kansas. As was discussed at the Task Force meeting, the statute governing the relinquishment of illegitimate children is seen as particularly inadequate by those who are trying to place children in permanent homes. Since 1972, when the United States Supreme Court decided in Stanley v. Illinois, 405 U.S. 645, that at least under some circumstances, fathers of illegitimate children have some rights in their regard, there has been a concerted effort by some interested groups to amend the relinquishment statute.

On February 24, 1978, the Supreme Court of Kansas announced its decision In re Latrhop (2 Kan. App. 2d 90 (1978)), a case of an infant adoption predicated upon relinquishment by only the mother of the child. While upholding the constitutionality of the present Kansas statute governing relinquishment, K.S.A. 59-2102 (2), the court declared that a putative father as an interested party within K.S.A. 59-2278, must be given notice of the pending adoption of his child. If the father responds to the notice and asserts his desire to assume parenting responsibilities toward the child, he must be given preference over prospective adoptive parents unless he is found to be unfit or to have failed to assume responsibility for two years immediately prior to the adoption. If the putative father fails to respond to notice, his rights are considered de minimis and the child may be adopted without his consent. In this case, the child was returned to the father after having lived with the prospective adoptive parents from August, 1976, until January, 1978. It must also be noted that although the constitutionality of the present relinquishment statute was upheld, the court specificially stated that further legislative treatment in this area was not foreclosed by their decision.

Atch. 1

Our experience as a statewide agency has taught us that the situation which now exists is a confusing one and that the child's chance of permanent placement will vary according to which district court has jurisdiction of the case. This hardly seems a desirable situation when SB 326 or some version of it could establish uniform procedures in this area.

Thank you for your consideration of this matter.

Submitted by

Ellen Richardson

Ellen Richardson,
Child Advocate

KANSAS GARNISHMENT LAW
K.S.A. 60-2310(d)

Under Article 23, entitled "Exemptions", K.S.A. 2310(d) provides as follows:

> "(d) Assignment of account. If any person, firm or corporation sells or assigns his or her account to any person or collecting agency, or sends or delivers the same to any collector or collecting agency for collection, then such person, firm or corporation or the assignees of either, shall NOT have nor be entitled to the benefits of wage garnishment. ..."

QUESTION

Does the public welfare of Kansas require the continuation of the prohibition of wage garnishment when an account has been assigned or delivered to a collection agency?

HISTORY

The above subsection first appeared in the Kansas Section laws of 1913, Chapter 232, paragraph 2. This subsection next appeared in the general statutes of Kansas 1923 Revision under the heading of "Application of Wages to Payment of Debts". In 1949, the statute was continued under 60-3495 under the heading of "Exemption of Personal Earnings of Heads of Families from Attachment or Garnishment; Amount; Court Costs; Procedure". This subsection was not amended at that time. In 1963, the statute was changed from 60-3495 to 60-2310, which is the present citation with amendments up through 1978.

It is unfortunate that there are no minutes or reports indicating the legislative intent because of the early enactment of this law. The only history that this writer has been able to

Att. 2

obtain from members in the collection industry is that in the early days of this state, certain collection agencies took it upon themselves to file suit and file both prejudgment and post-judgment garnishments, which of course is prevented from happening under the present Kansas laws requiring representation by attorneys on behalf of others. In 1965, the Kansas Supreme Court, in construing the constitutionality of this case, reported the possible history in 195 Kan. 586, 592, Wagner v. Mahaffey:

> "In enacting the specific proviso in question perhaps the legislature had in mind to protect the dependents of wage earners from repeated harassment by professional collection agencies."

It is incongruous to this writer to understand the reasoning of the Supreme Court, in that collection agencies are not able to garnish on their own behalf, how this "quote" would apply.

OTHER APPLICABLE LAWS

The Consumer Credit Protection Act - Title III, effective July 1, 1970, has no such provision and only requires that the state's garnishment laws can be preempted by the federal law only if its terms are less restrictive. It should be pointed out here that Kansas has adopted these restrictions so that under the present state and federal law, the earnings of a judgment debtor cannot be subject to garnishment unless they exceed 25% of the aggregate disposable earnings for that work week or multiple thereof and that the aggregate disposable earnings for that work week or multiple thereof exceed an amount equal to 30 times the federal minimum hourly wage. There are further restrictions under

this law that not more than one garnishment may issue during any one month. Further protections are provided under the paragraphs concerning "Sickness Preventing Work" and "Support Orders".

The Congress of the United States next passed the Fair Debt Collection Practices Act, effective March 20, 1978, which further provided for the protection from harassment or intimidation by collection agencies. It might be pointed out at this time that if a consumer so elects, he can notify the collection agency in writing to stop all collection efforts concerning that debt. This of course leaves no alternative but for the creditor or collector to forward the collection for legal action. This writer is attaching a pamphlet which is distributed by the Associated Credit Bureaus, Inc., Collection Service Division, marked Attachment "A", which provides a brief summary of the provisions contained in this Act.

REQUESTED ACTION

It would appear to this writer that due to the above protections already afforded consumer debtors, this particular prohibition could either be completely eliminated or an amendment as follows:

> "(d) Assignment of account. If any person, firm or corporation sells or assigns his or her account to any person or collecting agency, ~~or sends or delivers the same to any collector or collecting agency for collection~~, then such person, firm or corporation or the assignees of either, shall NOT have nor be entitled to the benefits of wage garnishment, ..."

COMMENTS

This writer, after personally attempting to survey all the states' garnishment laws, has failed to find this provision in any of the other 49 states.

It has been argued by some that if we had more garnishments, the bankruptcy rate would increase. If this argument were true, it is this writer's question that in a survey conducted in 1976, Kansas was tied for 5th of all 50 states in number of bankruptcies, totaling 148, per 100,000 population (in Shawnee County in 1978, 240 personal bankruptcies). Comparing our population to the population of the other states, it would appear that this has little bearing on the garnishment statutes. (See Attachment "B", How States Compare in Personal Bankruptcies.)

Of primary importance is the consideration of who will pay for these debts if those that incur the obligation can escape that responsibility. As noted above, a debtor merely has to notify the collection agency to quit any further contact and force the creditor or collection agency to forward said matter for legal action. Upon the institution of legal action, the attorney representing said creditor or collection agency can obtain a judgment but is then stopped from collecting this if the debtor, even though gainfully employed and earning sufficient wages, merely refuses to apply any of his earnings toward payment of this debt.

Historically, collection agencies handled those debts which attorneys are either unable or refuse to handle due to the necessity of having personnel to trace and handle the certain collection procedures. It might be brought to your attention that these pro-

cedures afford a valuable service to the business, medical and governmental community in that they handle all sizes of accounts and provide a multitude of "rates" to these merchants and medical people which is considerably lower than the normal 50% charged by an attorney, on small collections. A further service provided by collection agencies is the forwarding of accounts to another state or jurisdiction within the state so that just debts might be paid and returned to the community wherein they were incurred. A representative list of clients of collection agencies in Shawnee County is attached as indicative of the class of users (Attachment "C").

It can only be stressed that this prohibition, with all the protections provided under both the federal and state acts, appears to be totally outdated (1913) and of little purpose. Being a taxpayer in Shawnee County, I know that whenever I collect a just debt, when the debtor has refused to pay in the past, that it either lowers the cost of goods that I purchase or the taxes that I pay to support the institutions involved. This outdated creature of statute has served its usefulness.

Respectfully submitted,

Walter N. Scott, Jr.
Attorney for and registered
lobbyist for the Credit Bureau
of Topeka and the Associated
Credit Bureaus of Kansas

attorney. Generally, the only time a collector may discuss the debt with your employer, or any uninvolved third party, is with your specific permission.

Does the law allow collectors to seek my current address or place of employment?

Yes. When seeking that type of information on a debtor in preparation for collecting a debt, the debt collector can contact anyone he reasonably believes can assist in finding out the debtor's address, home telephone number and place of employment. The key restriction on the collector when seeking location information is that he not reveal the existence of the debt or discuss it with third-party sources of information.

What should I do if I am the victim of illegal collection tactics?

If you believe you have been subjected to unethical collection tactics, you should immediately contact the manager or owner of the collection agency involved. All ethical collectors support this law and will correct any activities that may be in violation of it. If the owner or manager of the agency is unresponsive to your complaint, you should consider contacting the original credit granter, your attorney or the Federal Trade Commission. The best procedure, however, is to *first* attempt to work out the problem with the collector.

What are the penalties for violating the law?

As with most consumer legislation, Congress recognized that despite the very best efforts of businesses, occasional errors would be made. Taking this into account, the law provides protection for the ethical collector who may make an occasional error if that collector has "reasonable procedures" to avoid unintentional violations.

Collectors, however, are subject to civil suits that will award the successful consumer his actual damages, reasonable attorney's fees and additional damages of up to $1,000. There are also provisions for class action suits against collectors.

Before suing a debt collector, all con[illegible]s should be aw[illegible]at the law also [illegible]ects the ethical [illegible]tor against nuisance or harassing lawsuits. If the court finds that a consumer's lawsuit was brought in bad faith and for the purpose of harassment, the consumer may be required to pay the cost of the collector's defense.

What if I simply refuse to pay a debt?

If a consumer informs a collector in writing that he refuses to pay the debt, the collector will stop his collection efforts for the debt in question. It should be remembered, however, that if the collector and creditor can no longer attempt to recover the debt, it may force them into taking legal action against a consumer who refuses to pay and this could result in attachment of assets or wage garnishment, if permitted by state law.

A consumer's decision to inform the collector that he refuses to pay is a serious one and should not be done hastily. Refusal to pay a just debt may limit a consumer's ability to receive credit in the future because the delinquency can become part of the consumer's credit history for up to seven years.

Will this law enable some people to avoid paying their bills?

No. Some individuals will always attempt to avoid paying their debts, but the law does not provide any specific means to accomplish this. The dual purposes of the law are to set national standards for conduct in the collection industry and to eliminate any competitive advantage unethical collectors have enjoyed in the past. Congress clearly recognized that it is in the interests of all consumers for debts to be collected, because it will aid in controlling business and professional losses and therefore hold down prices. While standards of conduct have been set on a national basis, there is nothing in the law to prevent collection agencies from using energetic collection methods so long as they do not harass or deceive the debtor.

Associated Credit Bureaus, Inc.
Collection Service Division

Form E-30 Ptd. in U.S.A. 12/77

Consumers, Collectors and the Fair Debt Collection Practices Act

In America's credit-oriented economy, consumer debt is at an all-time high and the collection of past-due accounts has become a major problem for businesses of all types. At any given moment there are approximately $44.5 million in unpaid, overdue bills in this country and many of them are referred to independent collection agencies. The majority of these collectors perform a valuable service both to their credit granter clients and to the consumer public because their collection efforts reduce losses and, therefore, help to hold the line on prices.

The publicity given to unethical tactics of a small percentage of debt collectors, however, sometimes overshadows the beneficial work done by the great majority of ethical collectors. Not only do independent collectors help keep prices down, but many actively participate in credit and debt counseling services for individuals with financial problems.

Responding to problems caused by the conduct of the unethical few, Congress passed the Fair Debt Collection Practices Act (FDCPA). Effective March 20, 1978, this law addresses the problems of unfair or deceptive collection tactics.

As the national trade association for the credit reporting and collection service industries, Associated Credit Bureaus, Inc., supported the passage of the Fair Debt Collection Practices Act. We believe this law will provide the necessary protection for consumers from unfair collection practices, while not placing an unreasonable burden on ethical collectors. This pamphlet has been prepared to assist you in understanding the protections this law affords.

If I owe past-due bills, what does this law do for me?

The FDCPA provides you with assurances of fair and ethical treatment by outlawing certain collection tactics and setting a basic national standard of conduct for professional "third-party" collectors. This law DOES NOT provide consumers with a means to avoid paying their legal debts.

Does the law cover everybody who collects debts?

In general, the only debt collectors covered by this law are independent, or "third-party," collectors who collect debts for others. The law does not cover credit granters collecting their own accounts or attorneys who collect for their clients.

What types of debts are covered by this law?

The collection of debts primarily for family or personal purposes such as medical expenses, retail purchases and the like are the ones covered. The collection of commercial debts for business purposes are not covered by the Act.

What if a collector tries to collect a debt I don't owe?

No collector wants to spend time and effort talking to the wrong consumer about a debt and all ethical collectors have procedures to correct problems such as these. If you do not owe the debt the collector has written to you about, contact him immediately and provide him with the facts supporting your position.

If you challenge the validity of the debt in writing within 30 days of his first notice to you, the collector will halt his collection efforts until he has received verification from the creditor. Once the creditor has responded, the collector will verify the debt to you in writing. If the creditor is unable to verify the debt, the collector will cease his collection efforts.

What if I won't pay a debt for a faulty product or inadequate service?

The Fair Debt Collection Practices Act does not deal with this type of problem between a consumer and a creditor. However, consumers should not wait until an account has been turned over to a collector before complaining about faulty merchandise or inadequate service. You should attempt to resolve the problem with the creditor before the account ever gets to a collection stage. Otherwise, it might appear that you are using this technique to further delay payment. However, there are cases where a consumer has pursued a legitimate complaint, yet the account is still turned over to a collector.

In this situation most debt collectors are prepared to assist in clarifying the problem in order to arrive at a solution that is satisfactory to all. If you don't intend to pay a bill because the product was faulty, or similar reasons, contact the collector immediately and explain the problem to him. He's prepared to listen and will try to help.

What collection tactics have been prohibited by this law?

Debt collectors may not make threats of violence, use obscene language, make harassing telephone calls or calls at times known to be inconvenient, impersonate government officials or attorneys, misrepresent a consumer's legal rights, obtain information under false pretenses, collect more than is legally due, misuse postdated checks or hold debtors up to public ridicule.

Collectors also are prohibited from discussing your debt with third parties such as a neighbor, friend or employer unless the collector has your permission or the consent of a court.

Will credit bureaus still get information from collection agencies?

Yes. Congress recognized that accurate credit information includes information on debts placed for collection. Collection agencies still can report the status of their accounts to credit bureaus. Also, the Act requires that if a debt has been reported to a credit bureau, and the collector later learns it is disputed, he must report the dispute to the bureau.

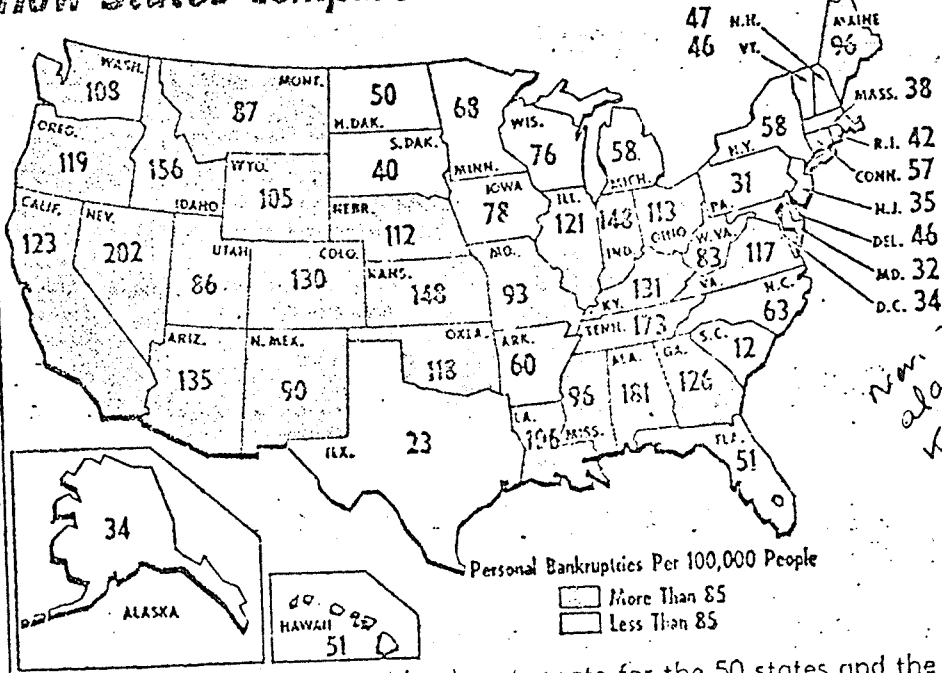
Can a debt collector add additional charges or interest to an account?

This cannot be done unless state law allows it or the original credit agreement you signed expressly allows such charges or interest to be added.

Can a collector call my employer about my past-due bills?

No. The collector can discuss your debt only with you, your spouse, your attorney, or a credit bureau. He may also discuss it with his attorney or the credit grantor's

How States Compare in Personal Bankruptcies



The map shows the personal bankruptcy rate for the 50 states and the District of Columbia. Personal bankruptcies in the U.S. averaged 85 per 100,000 population for the year that ended on June 30, 1977, according to the National Consumer Finance Assn. Nevada had the highest bankruptcy rate, at 202 per 100,000 population, followed by Alabama at 181. South Carolina enjoyed the lowest rate at 12 per 100,000. Texas had the second lowest rate at 23.

nev. 202
ala. 181
Tenn. 173
Ks. 148
Ind. 149

Sept. 19, 1978

ATTACHMENT "B"

PARTIAL LIST OF SUBSCRIBERS

A

All City Appliance & TV Service
A. A. Appleton, DDS
Avenue Animal Hospital

B

Ray Beers Clothing
Lonnie J. Bevens, DDS
Dr. F. C. Beelman
Drs. Bowen & Bowen
Briman's Leading Jewelers
Burkhardt Plumbing
Buttreys
Byers Optical Service

C

Candletree Apartments
Capital City State Bank
Cardiovascular & Thoracic Surgeons
Dr. K. W. Carlson
Carlson Plumbing Co.
Dr. William Carriger
City of Topeka (Water and Refuse)
Jim Clark Chrysler-Plymouth-Fiat
Club Travel Agency
Drs. Cook, Cassidy, Clark, Cook & Woods
Commercial Office Supply
Dick Cook Septic Tank
Crane and Co., Inc.
Cummings Equipment & Supply
Cunningham-Shields Clothing

D

Davis Sport Cycles, Inc.
Howard A. Dexter, DDS
Dale D. Dickson, DDS
Robert D. Durst, Jr., MD

E

Einsteins
The Executive Inn
Dr. Francis Everhart

F

Forbes Credit Union

G

Jack L. Garhan, DDS
Gas Service Company
Charles O. Good, DDS
Charles P. Graham, Jr., MD
The Grayce Shops, Inc.
Gregg Tire Company

H

Dr. M. Martin Halley
R. H. Hamilton, DDS
Hubert L. Harris, M.D.
Harrison Garage
Heifner Nursery & Garden Center
Herman's Beef & Sausage House
Hillers Farm Dairy
Home Drug Pharmacy
Hubbell's Central Service

I

Inn Operations, Inc.
Interstate Truck Center, Inc.

J

Jaquith Pharmacies
Jayhawk Aviation Center, Inc.
Hayhawk Heating & Cooling

K

Karlan Furniture
Haler E. Kennedy, DDS, PA
Kent-Brown Chevrolet
King Travel Service, Inc.
Dr. Ronald D. Kleiner
Knoll Welding Supply, Inc.
Philip E. Knowland, DDS
Ernest D. Kovarik, MD

L

L & L Carpet Cleaners
Robert E. Lacy, DDS
Lohman Jewelers
Lord's Flowers
The Lawrence Shopper

M

Ed Marling Stores, Inc.
McCaig Co., Inc.
Duane K. McCarter, MD
Dr. Donald Mahrle
John W. McClellan, MD
McElroy's Inc.
John R. McFarland, DDS
Lou McKernan Lincoln-Mercury, Inc.

Dean Melkus, DDS
Memorial Hospital
Midwest Insurors
Midwestern Music
M. D. Morris, MD
Dr. Dellyn H. Motley
Calvin Mounkes Mobil Oil

N

Dr. Richard Nabours
John P. Neal, DDS
Dr. J. R. Niver
Dr. William Nice
Noller Leasing Company

O

Opthalmology, PA
Orthopedic Associates, PA

P

Pelletier's
Petro's Surgical Appliances
Dr. Benson M. Powell
Dr. William Powell
Harold W. Powers, MD
Ralph R. Preston, MD
Pruitt Appliance Service

R

Radiology & Nuclear Medicine
Roach Hardware, Inc.
Warren E. Roberts, MD
James H. Robinson, DDS
Rosemary Gardens Florists
Ryder Truck Rental, Inc.

S

Sargent Insurance, Inc.
St. Francis Hospital
Santa Fe Credit Union
Schaffert-Grimes Drug
Schendel Quality Pest Control
Lester Schneider, Chiropractor
Shawnee Animal Hospital
Dale Sharp, Inc.
Shawnee County Treasurer
Dr. C. E. Sherwood
Shrake Electric, Inc.
Lawrence R. Smith, DDS
Steve Smith Cameras, Inc.
South City Animal Hospital
Shawnee County - Personal Property Taxes
Jesse L. Spearman, MD
Stanley's Flowers
Lloyd K. Stinson, DDS
Stormont-Vail Hospital
Herschel L. Stroud, DDS

T

Drs. Tappan, Gleason, Ransdell,
VandeGarde & Robinson
Topeka Allergy Clinic
Topeka Medical Center (35 doctors)
Topeka Daily Legal News

W

Washburn Medical Park Optical
W. Dan Weaver, M.D.
Darrell J. Weber, MD
Whelan's, Inc.
Dr. Marvin H. Wilson
Wolfe's Camera Shop
C. Bruce Works, Attorney
C. Edward Webber, DDS

Y

Dr. Theodore Young

Z

William R. Zagar, DDS
Zercher Photo

Kansas Association for School Psychologists

DATE: March 22, 1979

TO: Honorable Joseph Hoagland, Chairman, and members of the House Judiciary Committee

FROM: Stephan A. Henry, Legislative Committee
Kansas Association of School Psychologists
3120 Sena Drive
Topeka, Kansas 66604
273-5619 (home) 233-3483 (office)

SUBJECT: Comments regarding SB 379, legislation which would require juvenile first offenders to be referred to their school district for an "educational needs assessment".

BACKGROUND: SB 379 would implement one of the recommendations of the Governor's Task Force on the Problems of Youth, specifically recommendation #9 under SECTION I: INVESTING IN PREVENTION (p. 24) which states:

"The Task Force recommends legislation to require courts to refer all youth who are first-time court referrals to schools to be considered for special-educational assessment and services. . . Requiring this referral procedure allows the school to examine a youth's records, to consider the youth for educational screening and to provide educational services if it is warranted."

COMMENTS: We support SB 379 for two basic reasons:
(1) It establishes a workable procedure for identifying learning problems of juveniles which may have gone unnoticed previously. Juvenile offenders have been shown to have a high rate of incidence of learning problems. Once a learning problem is identified, appropriate special educational programming and services can be provided which will improve the child's overall prognosis.
(2) It establishes a direct link between the courts and the schools which will result in better communication and coordination of services.

SUGGESTED CHANGE: Although we support SB 379, we feel that the term "educational needs assessment" is ambiguous and will create problems of interpretation unless defined within the text of the bill. We suggest the following definition:

> The educational needs assessment shall be a meeting which should include the following persons: (a) the child's parents, (b) the child's teacher(s), (c) the building principal or his designee, (d) a Special Services representative, and (e) others as appropriate.

The purpose of the educational needs assessment shall be (1) to determine the appropriateness of referring the child for a special-educational evaluation, (2) to determine if the child is in need of supportive services offered by the school district and (3) to consolidate currently available information about the child's functioning and needs and to send a report of such to the juvenile court originally making the referral.

SH/cp

Kansas Association for School Psychologists

Stephan A. Henry
3120 Sena Drive
Topeka, Kansas 66604
Home Ph. 273-5619
Office 233-3483

March 16, 1979

Honorable Joseph Hoagland
Kansas House of Representatives, Room 115-S
State Capitol Building
Topeka, Kansas 66612

Dear Representative Hoagland:

The Kansas Association of School Psychologists (KASP) has been closely following the progress of SB 379. The bill is scheduled for a hearing before your Judiciary Committee on March 20th and we have requested a spot on the agenda.

If implemented, Senate Bill 379 should result in better coordination of services offered to problem youth by the courts and public schools. Since SB 379 would have direct impact on the public schools and special education in particular, we would suggest that you invite the Commissioner of Education or his designee to provide testimony before your committee on SB 379.

We look forward to presenting our views on SB 379 to your committee on March 22nd. Please feel free to contact me before then if you like.

Sincerely yours for the
members of KASP

Stephan A. Henry

SAH/cp